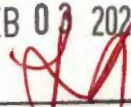


FILED
HARRISBURG, PA
FEB 03 2023
PER 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA

George Ivan Lopez, et al.,
Plaintiff

v.

John Wetzel, et al.,
Defendants

Hon. Christopher C. Conner
Hon. MJ Karoline Mahalchick
NO. 3:21-CV-1819

§ 1983 Civil Action Complaint

Plaintiff's Motion For Preparation by Way of Communication
With Other Plaintiff's in the Above Captioned Case by way
of Legal Mail AND OR United States Postal MAIL Service
AND Represents:

To THE Honorable Judges of Said Court:

AND NOW COMES, Plaintiff, Pro Se Motion For Preparation
by way of communication with other CO-Plaintiff's
in the Above Caption Civil Rights Case by way of
Person to Person Communication, Legal Mail AND OR
United States Postal MAIL Service AND represents:

ON October 26, 2021, Plaintiff, filed a Civil Rights
Complaints Pursuant to 42 U.S.C. § 1983, Alleging Violations
of their rights UNDER the Eighth and Fourteenth
Amendments, AS well AS the American with Disabilities
ACT. (SEE. Doc 1).

(2)

This motion Comes Urgent and of great concern because SCT-Phoenix administration has placed Very Severe and radical Penalties AND Conditions upon me in retaliation of this lawsuit, I'm a CAPITAL CASE Prisoner, but also due to CAPITAL CASE Prisoner are NO longer wanted in this institution by Correction officers AND Administrative staff here at SCT-Phoenix.

RELEVANT INFORMATION

ON 11/18/22, I was taken from P-Block, the Capital Case housing unit by LT. Buggy. THE LIEUTENANT TOLD THE OFFICERS to take everyone to A-Block, which is the Punitive AND Administrative housing Area AND put ME/THEM in the CORNER CELLS, I was Placed under DC-ADM 802 B.1f. Administrative Custody pending disposition of Investigation. 30 days later, I received a misconduct, charges #22, #40, #20. DESPITE the fact that I WAS NEVER Possession or use of a dangerous or control substance there was NO Engaging, or encouraging unauthorized Group Activity NOR UNAUTHORIZED use of mail, ~~mail~~ Kiosk, or Phone, "I WAS still found Guilty of All charges. This was AFTER 3 dismissals without Prejudice.

(2)

(3)

On the 50th day I WAS ISSUED Another Misconduct DC-ADM-802 And found Guilty of charge # 22, And WAS ISSUED 60 Punitive Segregation time. When the 60 days were Completed, 2 days later I WAS ISSUED A DC-ADM 802 B.1.i Misconduct which states; "NO RECORDS AND/OR essential information Are Available to determine the inmates Custody level or housing needs." I Am a Capital Case Prisoner And Capital Case inmates are only housed on P-block, AND the ONLY Prison I can be housed in is SCI-Phoenix. THIS Prison is well Aware of such facts. I HAVE Knowledge of Prisoners, who have been placed in Punitive Segregation for Sexual Assaults, Stabbings, Fights, Physical Altercations with staff AND Caught with Large Amounts of Drugs, do their time in Punitive Segregation And are released back into NOT Administrative seg., but are return back to general Population. Applying the DC-ADM 802 B.1.i (B.1.i) to Capital case is nothing ^{more} less than getting more time out of the Capital Case Prisoner, than what they were sentenced to by the hearing examiner. I Have been Placed in Suspended-Animation,

(4)

(4)

When this Administration Know that SCI-Phoenix is federally funded to ~~be~~ Accept Capital CASE prisoner AND House them/Me in SCI-Phoenix, this institution, Capital case can't be housed NO where else.

Since 11/18/22, to 1/25/23, I WAS housed UNDER the following Conditions, PRC, Supt. TERROR, Deputy Sipple, All staff on A-Block Including U.M. Smith, U.M. Fetter, Counselor Watson, Sergeants, Lieutenants AND some Captains, AND Also LT. Buggy, U.M. Durand, The Psychiatric Dept, AND MEDICAL staff All knew about my conditions of Confinement AND Did NOTHING UNTIL 1/25/23 around 7:30pm. Today 1/26/23, I FOUND OUT EXACTLY why I WAS moved, AND that was because the Deputy Regional Secretary did a tour on A-Block today. IF THEY would of left me in AB-107 cell, where I was housed for 71 days I most Surely would of said something to them AND they would of seen How I was dressed, the water stains on the floor AND How cold it was back there (AND how cold my cell WAS).

(5)

(5)

IN A NUT SHELL CONDITIONS OF CONFINEMENT:

SINCE 11/18/22, I WAS Placed in AB-107 CELL up UNTIL 1/25/23. During that period of time, the CELL I WAS forced to live in had a back window that was frosted, a CELL in which I could not tell if it WAS Night or DAY, A CELL so cold that ON numerous ^{occasions} ~~occasions~~ I could blow Smoke from my mouth. Everyday It WAS so cold I GOT Headaches from my head being cold, I would have to wear long Johns, 3 pair of Sox, A Towel wrapped around my head AND A Hat on my head that I received 50 days into my stay. I ALSO wore the Orange jumpsuit that WAS Issued. I wore the aforementioned clothing Everyday, which WAS All my clothing I had/have in this cell. My CELL ALSO would receive rain water from the yard AND Sewage water from the drain directly in front of my CELL. I would wake up AND the water AND or Sewage would be frozen on my cell floor AND OUTSIDE my door. A CELL so cold that the cells would sweat AND turn to ICE or make the CELL filled with DAMPNESS AND Mildew. I ALSO WAS forced to Sleep on A faintly thin mattress with tares in it UNTIL 1/25/23. I ALSO WAS forced to Sleep on that mattress for About 50 day before I received A sheet. I Am allergic to wool Blankets that we forced upon me

(6)

(6)

Causing rashes, Scratch Scars, Bumps on face, throat irritation, to the EYES AND NOSE AS well.

LAST But NOT LEAST. I suffered from Serious Anxiety, PTSD, AND PANIC ATTACKS, these mental HEATH conditions I HAVE before being Placed ON AB-107 AND CONTINUES to date. Upon being Place in AB-107 CELL, I NOTICED I WAS being Place in A CORNER, basically A closet. I begged NOT to be Placed in that CELL, told them of my condition AND begged to see A psychiatrist, but was denied. Less than Several days of me being confined under Aforesaid Conditions, I black out AND AWAKEN ON the floor. I ~~INFORMED~~ ^{DON'T} KNOW how long I had been there. I informed staff that day, they wouldn't provide AN Accident Report NOR Send me to MEDICAL. During PRE, I informed the PRE TEAM, which consist of Unit MANAGER ^{Fetter} ~~Smith~~, Dept. Supt. TERR. Dept. Hensley, Someone from Prea AND Psychology, ONCE again I WAS denied medical Attention. Still to date, if I WAS provide AN X-RAY it would show Injuries to my left Shoulder, collarbone, AND top to the middle of my SPINE

(7)

(7)

NEWS FLASH

ON 1/26/23, est. time 11:15 AM, Deputy Regional Supt. / Secretary Ferguson⁽¹⁾, Supt. TERROR, Deputy Henstey, W. MANGER Smith AND other WALKED PASS my door AND I STOPPED them. I ASKED Ferguson ABOUT the DC-ADM 802 B.I.I I WAS being held under AND the language of the B.I.I directive. I ALSO spoke OF T.S.I. Policy AND the Particulars of this matter. I ASK why am I being held under a policy that does NOT Apply to Me. Ms. Ferguson, gave a response that didn't make sense, but when she got to the top of the steps, ready to DOWN them. she was pointing to my cell AND seem to be Angry with them. Deputy Henstey looked frightened.

NOT more than 24 hours later on 1/27/23, I received A DC-ADM- 802 B.A.I.A. stating (THE Inmate is in danger from someone person or a danger to some person(s). etc. Total A 360° turn from the reason I was Place in AC, the Misconduct AND the reason for the B.I.I was ISSUED. Inmate RAHMAEL HOLT — #QB7565 WAS place under the SAME Condition OF CONFINEMENT from 1/18/22 to 1/25/23.

(8)

(8)

THIS entire matter consist of an Allege
Drug that WAS never in my Possession or
Anyone Possession INSIDE this institution,
and all related charges that I was found
guilty of "Just didn't fit # 22 Possession
OR USE of a dangerous or Control substance.
THIS entire Incident occurred outside
the Institution. So the Question is; why
are they treating me differently from other
Prisoners in General Population AND Placed me
Under extreme Condition? I'll tell you why:
SCI-Phoenix, does not want Capital Case
Inmates in their Institution, This has been
told to me directly to my face by Unit Manager
Fetter AND L.T. Buggy. SCI-Phoenix Staff including
U.M. Durand who has SAID on Numerous occasions
that we file too many Grievances, Lawsuits,
AND HAVE Prisoner in this institution NOW
Doing the Same. I HAVE written U.M. Durand
AND CC: Mr. Neri of P-Block About my conditions,
they never respond. I'm Also Aware that
Unit Manager Durand was GOING to move
me to Another Side of P-Block to Separate
me from the other Plaintiff in this Case
before you.

(9)

(9)

Ms. Durand, is Aware of Everything that has happen to Me ^{AND} because of the lawsuit she has not once come to see me or respond to Any of my Request.

Your Honor:

I AM requesting that A Copy of this motion be forward to the other Plaintiff's IN this case, AND I AM ASKING the Court to Grant ME Permission to Communicate with the Defendants for Preparations for Pretrial AND Trial Purposes. AND IN this Matter there MAY BE A NEED TO MAKE SOME Amendments AS TO retaliation AND My Mental Capacity due to be Housed in Isolated Solitary Confinement for 71 day under Extreme Conditions. THE law library here on this block HAS ONE computer that's broke, NO word Processor, AND HAVE AN Old broke down Comp type-writer with NO ribbon AND will NOT provide Typing Paper. From 11/18/22 to date 1/27/23, I HAVE been only Allowed to use The law library Twice. * I ALSO Notice that the discovery provided by defendants WAS "Insufficient."

(10)

I Am in need to participate in this civil matter, AND the ONLY way I can do that is through the U.S. Postal MAIL Service, legal MAIL or if they provide Virtual communication for the Plaintiff's due to my current condition. (PLEASE provide Copy to defendants AND a stamped date Copy received to me).

I, DARIEN Houser, Declare that the contents of this document are true AND correct pursuant to 28 U.S.C § 1746 AND 18 Pa. § 4904

Sincerely and Respectfully
Submitted

Darien Houser # GL-7309
Plaintiff

SCI-Phoenix
1200 Mokychic Drive
Collegeville, PA. 19426

P.S. I've BEEN Requesting to see MR. G or A Psychiatrist, AS to date, I've been given the Run Around.

(11)

Case #317509
1200 Mokyskie Drive
Collegeville, Pa. 19426

29
1/28/23

Dear Clerk of Courts:

These documents come to you under extreme mental and emotional Capacity, and very harsh Conditions under disciplinary confinement. This is a Cry for help. I am aware of the rules of Federal procedures as to filing document to the Court. But there is no way I could possibly do that at this time. I do not have my personal property, the law library is not adequate nor sufficient. In my case, the staff on this block has done everything possible to prevent me from reaching this point. I had to trade my Breakfast and lunch for the writing paper I submit to you. It would be deeply appreciated if you would file docket and ~~an~~ electronically submit a copy of this document to the Plaintiff's and Defense Attorneys Please. I also Request a Stamp dated Copy Receive

Respectfully and Sincerely Submit
David Harris
God Bless

Name: DARIEN HOWER
Number: GL-7509
Box 244
Collegeville, PA 19426-0244

PA DEPARTMENT OF
CORRECTIONS
INMATE MAIL

neopost[®]
02/01/2023
US POSTAGE \$000.84⁰



ZIP 19426
041M12252211

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HARRISBURG, PA
FEB 03 2023

PER _____
DEPUTY CLERK

To: OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
U.S. COURTHOUSE
228 WALNUT STREET
P.O. BOX 983
HARRISBURG, PA 17108

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